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2                   **RECEIVED**  
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4                   MAY 19 2009  
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6                   RICHARD W. WIEKING  
7                   CLERK, U.S. DISTRICT COURT  
8                   NORTHERN DISTRICT OF CALIFORNIA

E-filing

9                   \***E-FILED - 6/17/09\***  
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11                  IN THE UNITED STATES DISTRICT COURT FOR THE  
12                  NORTHERN DISTRICT OF CALIFORNIA

XXXXX

13                  RMW

14                  UNITED STATES OF AMERICA and DELMA MITCHELL, Revenue Officer,

CV 09 No.

2194

15                  Petitioners,  
16                  v.  
17                  ANTONIO J. CASAMENTO,  
18                  Respondent.

19                  [Proposed]  
20                  ORDER TO SHOW CAUSE RE  
21                  ENFORCEMENT OF INTERNAL  
22                  REVENUE SERVICE SUMMONS

23                  Good cause having been shown by the petitioner upon its petition filed in the  
24                  above-entitled proceeding on May 19, 2009, it is hereby:

25                  **ORDERED** that respondent ANTONIO J. CASAMENTO appear before this  
26                  Court on the 31 day of July, 2009, at 9:00 a.m., in Courtroom No. 6, 4th  
27                  Floor, United States District Court, 280 So. 1st Street, San Jose,  
28                  California, and then and there show cause, if any, why respondent should not be  
29                  compelled to appear and provide documents and testimony as required by the summons  
30                  heretofore served upon respondent as alleged and set forth in particular in said petition;  
31                  and it is further

32                  **ORDERED** that a copy of this Order to Show Cause, together with a copy of the  
33                  aforesaid petition, be served upon said respondent in accordance with Rule 4 of the  
34                  Federal Rules of Civil Procedure at least thirty-five (35) days before the return date of

this Order above specified; and it is further

**ORDERED** that within twenty-one (21) days before the return date of this Order, respondent may file and serve a written response to the petition, supported by appropriate affidavit(s) or declaration(s) in conformance with 28 U.S.C. § 1746, as well as any motion respondent desires to make, that the petitioner may file and serve a written reply to such response, if any, within fourteen (14) days before the return date of this Order; that all motions and issues raised by the pleadings will be considered on the return date of this Order, and only those issues raised by motion or brought into controversy by the responsive pleadings and supported by affidavit(s) or declaration(s) will be considered at the return of this Order, and any uncontested allegation in the petition will be considered admitted.

**ORDERED** this 16 day of June 2009,  
at San Jose, California.

*Ronald M. Whyte*  
UNITED STATES DISTRICT JUDGE